

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

LUGREG TRUCKING, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-19-290-D
)	
VANTAGE TRAILERS, INC.,)	
)	
Defendant.)	

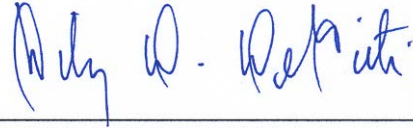
ORDER

Upon examination of the Complaint, the Court finds insufficient factual allegations to support the assertion of federal subject matter jurisdiction under 28 U.S.C. § 1332.¹ Plaintiff LuGreg Trucking, LLC is alleged to be an Oklahoma limited liability company. A limited liability company is not treated like a corporation under 28 U.S.C. § 1332(c)(1), but like a limited partnership or other unincorporated association under *Carden v. Arkoma Assocs.*, 494 U.S. 185, 195-96 (1990). *See Siloam Springs Hotel, L.L.C. v. Century Surety Co.*, 781 F.3d 1233, 1237-38 (10th Cir. 2015); *see also Spring Creek Expl. & Prod. Co. v. Hess Bakken Inv., II, LLC*, 887 F.3d 1003, 1014 (10th Cir. 2018). The Complaint contains no information concerning Plaintiff's members and so fails to allege its citizenship, and fails to establish diversity of citizenship between the parties.

¹ "Federal courts 'have an independent obligation to determine whether subject-matter jurisdiction exists, even in the absence of a challenge from any party.'" *Image Software, Inc. v. Reynolds & Reynolds Co.*, 459 F.3d 1044, 1048 (10th Cir. 2006) (quoting *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514 (2006)); *see Havens v. Colo. Dep't of Corr.*, 897 F.3d 1250, 1260 (10th Cir. 2018).

IT IS THEREFORE ORDERED that Plaintiff shall file an amended complaint to allege the existence of diversity jurisdiction within 14 days from the date of this Order.

IT IS SO ORDERED this 18th day of April, 2019.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE